

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

JANARIOUS SMITH, :
Plaintiff, :
vs. : **CIVIL ACTION 11-00691-KD-N**
OFFICER CARROLL, *et al.*, :
Defendants. :

ORDER

After due and proper consideration of all portions of this file deemed relevant to the issues raised, and there having been no objections filed, the Report and Recommendation of the Magistrate Judge made under 28 U.S.C. § 636(b)(1)(B) and dated January 23, 2012 is **ADOPTED** as the opinion of this Court. Accordingly, it is **ORDERED** that this action is **DISMISSED without prejudice** for failure to prosecute and obey this Court's Order.

DONE and **ORDERED** this the **14th** day of **February 2012.**

/s/ Kristi K. DuBose
KRISTI K. DUBOSE
UNITED STATES DISTRICT JUDGE